



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

MEH:ddj
Docket No: 5014-99
30 November 1999

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 30 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 3 November 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND

5720 INTEGRITY DRIVE

MILLINGTON TN 38055-0000

1160
PERS-815
03 Nov 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS
Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 19 Jul 99
(b) NAVADMIN 132/99
(c) OPNAVINST 1160.6A

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to petitioner's request.

- Petitioner's ADSD is 25 May 1984.

- Petitioner passed through zone "C" SRB eligibility on 24 May 1998.

- Petitioner reenlisted on 6 May 1999 for five years to continue active service. Petitioner's EAOS at the time was 24 May 1999. Reference (b) released on 30 Apr 1999 with an effective date of 1 May 1999 added a zone "C" SRB entitlement for the AT(0000) rate at the time petitioner reenlisted.

- Reference (c) provides an early SRB window during the month of passing through zone and on or before the date of passing through zone. Additionally, per reference (c), the zone "C" window is 10 years of active Navy service to 14 years and pay out to the 16 year point.

- Petitioner requests to receive the zone "C" SRB entitlement for the reenlistment of 6 May 1999. However, petitioner passed through the zone "C" window prior to the reenlistment date. Therefore, petitioner is ineligible to receive the zone "C" SRB entitlement offered in reference (b).

2. In view of the above, recommend that petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.


S. R. CHRISTY

Head,
Reenlistment Incentives Branch